REMARKS

The application includes claims 1-45 prior to entering this amendment.

Claims 1-45 were rejected.

Claims 3 and 23 are cancelled herein.

Claims 1, 4-13, 16-19, 21, 22, 24, 25, 27-35, 37, 38, 41 and 43-45 are amended herein.

Claims 46 and 47 are new. No new matter is added.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1-4, 7, 8, 11-15, 18-24, 27-28 and 31-45 under 35 U.S.C. § 102(b) over Schulzrinne (U.S. Patent 6,970,909).

The rejection is traversed. Claim 1 is amended to recite the features of original claim 3. Therefore claim 1 is amended to include the same features as previously examined claim 3 such that the amendment of claim 1 would not necessitate a further patent search or new grounds for rejection. Amended claim 1 recites a method for automatically collecting information relating to calls, comprising:

> establishing one or more subscription sessions with one or more endpoint devices, wherein each of said one or more endpoint devices is associated with an address of record;
>
> receiving a dialog notification in one of said one or more of subscription sessions that an endpoint device has received a call from a caller;
>
> generating a call entry providing call information associated with said call and said caller; and
>
> storing said call entry in a chronological call history providing call information associated with one or more calls to said one or more endpoint devices;
>
> receiving another notification that another endpoint device has received another call;
>
> generating another call entry providing call information associated with said another call; and
>
> storing said another call entry in said chronological call history.

Schulzrinne describes a communication system comprising at least one network device (variously 100 or 3415) coupled to a network (3402) wherein the network device (100) includes software for detecting incoming calls and initiating call sessions using a signaling protocol (Abstract).

In rejecting claim 3, the Examiner stated that receiving another notification that another endpoint device has received another call, and receiving and storing said another call entry in said chronological call history would be apparent in view of Schulzrinne at column 17 lines 37-47, column 20 lines 1-17 and the Abstract lines 1-6. Applicant respectfully disagrees with the Examiner's interpretation of Schulzrinne.

Figure 32, cited at column 17 lines 37-47, is a state diagram illustrating the transition diagram of a server (UAS) in accordance with the network device 100 of Figures 4 and 5 (column 4 lines 23-25 and column 3 lines 16-20). The network device 100 is described as being a packet data network telephone (column 7 lines 3-5).

According to the language used in rejecting claim 3, Applicant assumes that the Examiner is making an inherency argument. Namely, that although not specifically identified, the communication system of Schulzrinne is understood as being operable with another endpoint device. Furthermore, according to the language used in the rejection of claim 3, it appears to be the Examiner's position that storing another call entry in a chronological call history is inherent from the network appliance 100 of Schulzrinne including a "call logging" that stores incoming calls in memory

Applicant respectfully reminds the Examiner that according to MPEP 2112 (IV), to establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

Applicant remarks that the Schulzrinne network device 100 (e.g. telephone) providing telephony services described at column 19 line 60 to column 20 line 21 is an example of a conventional system as described in Applicant's Background at paragraphs 0003-0005. Applicant describes cell phones, for example, that may keep a list of recent calls to the cell phone (paragraph 003). Similarly, Schulzrinne's network device 100 is described as storing call information in memory, e.g. "call logging", specifically where the calls are "incoming calls", that is, calls that are received by the network device 100 (column 20 lines 1-8).

The chronological call history of claim 3 is distinguishable from the call logging of Schulzrinne's network device 100, in that the call entries stored in the chronological call history are associated with calls received by different endpoint devices, whereas the calling log of Schulzrinne is associated with the incoming calls received by the network device 100. Schulzrinne fails to disclose where the calling log of the network device 100 stores any call information related to calls received by another device. Applicant respectfully submits the network device 100 has not been enabled by Schulzrinne to disclose how the calling log would store call information associated with another call since, for example, there is no description of the network device 100 receiving another notification that another endpoint device has received another call. Accordingly, Applicant respectfully submits that the missing descriptive matter is not necessarily present in the thing described in the reference, and therefore any rejection based on inherency would be improper.

Whereas the rejection is traversed, Applicant herein amends claims 1, 4, 7, 8, 11, 17-19, 21, 22, 24, 27, 28, 31-35, 37, 38, 41 and 43-45 to expedite prosecution. For example claim 31 recites, in part, a computer readable medium containing executable instructions which, when executed in a processing system, causes the processing system to perform the steps for automatically collecting call contact information, comprising:

> storing said first call entry and said second call entry in a shared call history to provide associated call information to said plurality of endpoint devices, wherein said shared call history is located remotely from said first and second endpoint devices.

As described above, the telephone operations (including call logging) are disclosed in Schulzrinne as being provided by the network device 100, such that one skilled in the art would appreciate that the "memory" described at column 20 line 3 is associated with a memory resident on the network device 100 (see Figure 4 of Schulzrinne identifying both RAM and ROM storage devices of the network device 100). Accordingly, Applicant respectfully submits that Schulzrinne fails to disclose a shared call history that is located remotely from a network device, as recited by claim 31.

By way of further example, amended claim 21 recites, in part, a computer readable memory coupled to said processor and containing program instructions that, when executed, implement a method for automatically collecting information relating to calls, comprising:

receiving a first dialog notification that said first endpoint device has received a call from a caller;

generating a first call entry providing call information associated with said first endpoint device in response to receiving said first dialog notification;

receiving a second dialog notification that said second endpoint device has received a call from another caller;

generating a second call entry providing call information associated with said second endpoint device in response to receiving said second dialog notification; and

storing said first call entry and said second call entry in a shared call history.

Claim 21 was rejected, in part, according to the disclosure of a computer readable memory and processor described at column 8, lines 1-5 of Schulzrinne. Applicant again notes that the memory and processor described by Schulzrinne are described by way of reference to figures 4 and 5 which disclose RAM and ROM components resident on the network device 100. The Examiner identifies a ringing response of a server (UAS) as disclosing receiving a dialog notification as recited by claim 21, and states that generating a call entry would be obvious prior to storing it (see page 4 section 6 of the 2/12/2008 Office Action).

However even assuming that a ringing response at the server results in an entry for a call received by the network device 100, any further ringing response associated with a call received by a second endpoint device would not be stored as an entry in the calling log of network device 100. Instead, Applicant respectfully submits that according to Schulzrinne, any call associated with a second network device would be stored in a second calling log stored in memory of the second network device (column 8 lines 1-5 and Figure 4). In brief, Schulzrinne fails to disclose that the calling log could store call entries associated with first second endpoint devices, nor why it would be advantageous to do so.

Independent claims 11, 35 and 41 are believed to be allowable for similar reasons as provided for claims 1, 21 or 31 above. Claims 2, 4, 7, 8, 12-15, 18-20, 22, 24, 27-28, 32-34 and 36-45 are believed to be allowable as depending on claims 1, 11, 21, 31, 35 and 41 as well as the further novel features recited therein. For example, claim 27 recites the computer system of claim 21, wherein said method further comprises applying a handling rule to reroute one or more calls to another endpoint device, wherein the handling rule comprises a total amount of time that said plurality of endpoint devices have collectively been logged on. Schulzrinne, in contrast,

merely discloses displaying a time of a call received by the network device 100 (column 20 line 14-17), and not of a plurality of endpoint devices.

Accordingly, withdrawal of the rejection of claims 1, 2, 4, 7, 8, 11-15, 18-22, 24, 27-28 and 31-45 is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 5, 6, 16, 17, 25 and 26 under 35 U.S.C. § 103(a) over Schulzrinne, as applied to claims 1, 11, and 21 above, in view of Brewster, *et al.* (U.S. Patent 6,041,108).

At page 12 section 28-30 of the February 12, 2008 Office Action, the Examiner acknowledges that Schulzrinne fails to disclose the filter of claims 5, 6, 25 and 26 and instead cites Brewster. Brewster describes a method of operating on network calls according to a list of intelligent network criteria (Abstract).

Claims 5, 6, 16, 17, 25 and 26 are believed to be allowable as depending on claims 1, 11 or 21 as well as the further novel features recited therein. For example, amended claim 25 recites, in part applying a filter to said call information to update a counter associated with said plurality of endpoint devices. Brewster, on the other hand, describes that the counter is incremented according to an Nth call for a particular number (column 3 lines 4-11). Accordingly, it can be assumed that a different counter would be incremented for each number or phone, rather than a plurality of endpoint devices, as recited by claim 25.

Accordingly, the withdrawal of the rejection of claims 5, 6, 16, 17, 25 and 26 is respectfully requested.

The Examiner rejected claims 9, 10, 29 and 30 under 35 U.S.C. § 103(a) over Schulzrinne, as applied to claims 1 and 21 above, in view of Thornton, *et al.* (U.S. Patent 6,363,065).

At page 14 section 34-35 of the February 12, 2008 Office Action, the Examiner acknowledges that Schulzrinne fails to disclose the preliminary notification of claims 9, 10, 29, and 30 and instead cites Thornton. Amended claim 9 recites receiving a preliminary notification that indicates that said endpoint device has registered to be associated with another of said one or

more endpoint devices. This is contrasted with Thornton at column 32, lines 2-6, which describes that an endpoint manager 750 informs a manager 740 that a new endpoint has registered with the gatekeeper or deregistered. Accordingly, Thornton fails to disclose any association of a registered endpoint with another endpoint.

Claims 9, 10, 29, and 30 are believed to be allowable as depending on claims 1 or 21 as well as the further novel features recited therein. Withdrawal of the rejection of claims 9, 10, 29 and 30 is respectfully requested.

New Claims

Claims 46 and 47 are new. No new matter is added.

Any statements made by Examiner that are not addressed by Applicant do not necessarily constitute agreement by the Applicant. In some cases Applicant may have amended or argued the allowability of independent claims thereby obviating grounds for rejection of the dependent claims.

Conclusion

For the foregoing reasons, Applicant requests reconsideration and allowance of claims 1, 2, 4-22 and 24-47. The Examiner is encouraged to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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